Wills testimony
27 Jan 1947
Committee on
Expenditures
in Executive
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STATEMENT OF MR. "B"

Mr. B. My status is as a civilian, a lawyer, and I have no government connections or tie-ups, and I have no relations with any of these particular agencies.

During the war, about the time of Pearl Harbor, a little after Pearl Harbor until November of 1945, I was associated with OSS first in New York, and then abroad in Switzerland, and then after VE day in Berlin. I retired from war work in November of 1945, and as I say now I have no tie-up or connection of any kind. I have no special interest to support or defend, in any one of these particular agencies.

Mr. Brown. I think that you have been a little modest in your statement. I think that you were really the top man overseas in the undercover set-up of the United States.

Mr. B. That is very flattering for you to say that. I do not present any such claim myself. I was fortunate enough to select a place, Switzerland, which afforded unique opportunities for doing this type of work. I had ten years in the foreign service, from 1916 to 1926 in the Diplomatic Service, and I happened to be in Vienna when we went into the war in1917. I then was transferred to Switzerland, and they would not let me get into the Army, and I spent the first World War in Switzerland, and I was able at that time to get an idea of intelligence operations directed against a country like Germany.

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From that experience I felt myself when this war broke out and I was too old to go into the armed forces effectively that Switzerland was the place where I could render the best service, and I got into Switzerland the day after Switzerland was closed to the outside world by the German invasion of the Southern part of France or the occupation of the Southern part of France, after our landing in North Africa.

So from November of 1942 when that occurred until September of 1944, we there in Switzerland were entirely closed off by the Nazis and the Fascists, and the only way we could communicate of course with the outside world was by radio.

Working there in Switzerland I developed operations directed into all of the countries around Switzerland, Germany, occupied France, Fascist Italy, and had a certain measure of success in penetrating the German Intelligence Service, the German Foreign Office and certain other of the German agencies.

Mr. Judd. Is it not true that Admiral Carnaris, Hitler's top man in intelligence, was your agent?

Mr. B. That is going a little far. I had working with me several of the men in Carnaris' organization, and I was in direct touch with Carnaris, especially with General Oster who was Chief of Staff and in charge of his intelligence.

Mr. Judd. Then it is too much to say he was your agent,

3. but he was giving you intelligence, and he and his men were assisting you?

Mr. B. That is correct. About 10 percent of the OPBER, as it is called, was involved. And by the way, gentlemen, there is a good deal of publicity indicating that the OPBER was solely a military organization. That is not correct. The OPBER in Germany, which was the counter-intelligence or the central intelligence German agency, operated under the old OKW, that is the Joint Chiefs of Staff under Kitel, and it did not operate under either the Army or the Navy or the Air Force. It operated under a central organization.

That organization was constituted somewhat like Bill Donovan's organization, the OSS, in the sense that it brought in civilians, lawyers and business men, young fellows in the army, and it was recruited in that way.

About 10 percent of the OPBER or German counter-intelligence became anti-Nazi. They became disgusted with Hitler's tactics, and they opposed Hitler's activities against the Russians and his treatment of the Russians and as a result it was possible to penetrate the OPBER. As you probably know the top five men in the German intelligence service were all executed as traitors, that is Carnaris and Oster and several others.

Mr. Judd. There was good reason for that?

Mr. B. Yes, they were traitors in the German sense.

there is no doubt. Two of the men worked with me. They were attached to the German Consulate General in Zurich, and woking directly for Carnaris and Oster, and they furnished information to me of a very valuable nature.

I think we received some of the first information we had about the German development of the guided missles, and some of the first clues that led us to the bombing of Petermunde, and things of that kind came from men in the German Intelligence Service working with us.

Mr. McCormack. Could we get down to the point and ask Mr. B the pertinent questions the committee wants, because his time is limited.

Mr. Bender. Did you study this bill?

Mr. B. Outside while I was sitting there, sir. I have read the two bills, and I have read H. R. 3979, is that the bill that you have in mind?

Mr. Bender. What are your comments regarding them?

Mr. Judd. H. R. 2319 is the original bill.

Mr. B. I submitted comments, and I think that they are printed in the record with regard to Section 202 of that bill. I was somewhat critical of that draft, sir. I feel that the important thing if we are going to build up an Intelligence Agency is permanence. We have got to make sure that the fellow that goes in there at head of the Central Intelligence Agency is going to stick to it. This is a job

not of one year but of five or ten or fifteen years. I think J. Edgar Hoover's prestige and the prestige of his organization is due to the fact that he has been there for twenty-five-odd years. That is true, I think, with the British Intelligence Service, too. The fellow that has been there, I think has been there for twenty-odd years. It takes time.

Now, I do not think, and I believe therefore that the person who acts as head of that agency should act in a civilian capacity. I do not say that he should be a civilian, I mean he should become a civilian, andmake that his life work and not look forward to promotion in the Army or the Navy or the Air Corps.

It might well be that the best person to head up that agency might have had military training up to the time he takes that job, but when he takes that job it is like going into a monestary. He has got to devote his life to that, and to nothing else. I see that the provision in the last draft has been changed to that.

Mr. McCormack. We are considering H. R. 2319.

Mr. Bender. Would you like the new provision better than the old one?

Mr. B. Yes, provided it does not exclude anyone who has had military training up to that time, and I assume that it would not. I assume if a military man was prepared to resign, he might be appointed.

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I think, however, if you did that, it would be fair that retirement provisions and other prerequisites of that kind should not be lost by anyone who has been in the Armed Forces and who is willing to devote his life thereafter to the intelligence work.

Mr. Manasco. If Congress repealed that Act, you would not want to prevent him from going back in the service with the proper advancement in grade that would have come if he had stayed in?

Mr.B. I do not think I would put any prohibition on that. I think it is a pity if the fellow that does that feels after two or three years he can go back and be an admiral or vice admiral or the other. That is unsettling. The President has got to be satisfied that when a fellow goes into this job that he is going to make that his life work and perform his duties to the satisfaction of the Authority under which he works.

Mr. Manasco. I was thinking now, since we have no civilians in this type of work, we should have for the next 10 years a military man as head of it, if he continues to serve from now on and does not go back to the Army.

Mr.B. I would not affect his retirement, but I would make him operate as a civilian while he is there. Later he may want to resign if there are provisions for his going back in the service, but I am skeptical about that because

I am afraid if you open that door too wide, you are going to defeat the essential purpose we are trying for.

Mr.McCormack. I do not think there is too much disagreement, except at the outset, Mr. A felt that there mig t be a military man at the outset.

Mr. B. I have the highest regard for Mr. A and the others, as far as individuals are concerned. They are men of a very high type.

Mr. McCormack. What would be your opinion at the outset?

Mr. B. I think that you have got to start now, if you are going to develop this thing, and develop it with the utmost seriousness; and the fellow that takes it on, who is appointed now, I think ought to make it a life work.

Mr. McCormack. Do you think the CIG should do collection work?

Mr. B. Yes, I do. I would like to get into that point, and I realize it is a contentious point, and it is a difficult point, and there are arguments on both sides. There is a lot of misunderstanding about secret intelligence.

In the first place, secret intelligence and clandestine intelligence is only one relatively minor segment of the whole intelligence picture. You say it is 25 per cent or 20 per cent, and I do not know how much it is. There are several branches of secret intelligence, and some one agency has to do that. I think it is impossible to continue with a series

of agencies engaged in the work of secret intelligence. You are going to cross wires, and you are going to find that these various agents will become crossed. You will find that, because it is a very delicate and difficult field which requires the greatest amount of coordination. I do not know where else it can be put.

I do not think it should be put either exclusively in the State Department or in the War, Navy or Air Departments. I think I would allow those agencies, with the approval, or possibly under the direction of the Central Agency, to continue certain operations, as I would certainly want to see a very strong agency built up on the subject or in the field of scientific developments in the atomic bomb.

I feel very strongly that there must be a central directing agency of that with the power to do the secret collecting, using such agencies as that Central Agency desires, including its own. That has been the experience of most other countries.

Now, there is the criticism about security, but I know in Switzerland it was perfectly feasible to work it out with, I think, complete security. I carried on 15 or 20 operations at the same time, but those operations, no one of them, if it was uncovered, would affect any other operation. It does not mean because you centralize the secret intelligence operations in the new agency that you are breaking down security because if that is properly handled, the various chains tha

may be developed in the field will have no connection whatever and will not know, themselves, what any other chain is doing.

However, if you have four or five agencies of the government operating in different countries, andyou know which of the different countries are the difficult countries, in this delicate line of work, I am afraid that you are going to have great confusion. There is one other field in which the collection is very important and has been, I feel, neglected. We cannot get our intelligence solely from our diplomatic people and our military and naval attaches or from the agents that a Central Agency should send out.

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Now, I am a firm believer in the theory that G-2 and ONI and the State Department should, of course, continue their collection, but I do not think that any one of those bodies should run secret agents or have secret chains. I think that you ought to centralize that. Now, it might be in a given situation that the Director of Central Intelligence would find that a military operation of a sort was essential. Then, he would turn to the G-2 and say, "Who have you who can do this?" I would not cut them out of the field, but would have their operations centralized and controlled by one central body.

The argument has been raised, and I have read it, that if you have both the functions of collection and analysis and reporting, that you are likely to put undue weight on the information you collect yourself as against the information that comes to you from other agencies. Well, that is a human failing. I think if you have a good man, that is not the case. Personally, I would not, myself, put a tremendous amount of weight on clandestine intelligence. It has got

to be proved before it is any good.

Mr. McCormack. But you have to have it.

Mr. B. Yes. In Switzerland I was finally able to get a contact in the German Foreign Office, who brought out to me the original telegrams from the German Foreign Office. Well, once we had proved that this fellow was not a double agent and was not planting things on me, that became an invaluable source.

Now, that kind of clandestine information, after it is proved up, is of great value. It all depends upon the ability of the men there at the top. If there are human failings if they put too much weight on one thing as against another, well, they are just falling down in their job. Somebody has to do that, and I would not feel that it would be wise to reject the idea of the Central Agency handling clandestine work merely on this ground. I think it is absolutely essential that the Central Agency have no policy attributes of any kind.

There, I think you get into a real vice, and I think that that is somewhat back of Pearl Harbor. They ought to get the facts as best they can, and they ought to analyze those facts and then present those facts to the policy people; because where you have the people who are both interested in policy and collecting facts, you always warp the facts to suit the policy that you are trying to promote.

I have seen that in my short career in the diplomatic service. You have an ambassador who has a certain policy; you do not get any facts by him that do not fit that policy. That is a natural failing. We must avoid that in our intelligence work by having the policy entirely separate from the fact gathering.

Mr. Wadsworth. Under this bill the policy would be in the National Security Council?

Mr. B. And would be apart from your collection, would it not?

Mr. Wadsworth. Yes.

Mr. B. They would control the Central Intelligence Agency.

Mr. Judd. I raised the question whether they should be under it or report directly to the Secretary of National Defense.

Mr. B. I think the State Department ought to play a larger role in that. I do not think the report ought to be solely to the military or to the National Defense side.

Mr. Judd. Or the direction by the National Defense side?

Mr. B. I have a little criticism in this draft as to the Central Security Council. Is that what is called?

Mr. Judd. It is called the National Security Council.

Mr. B. From the point of view of an agency to control

your intelligence work, it was a bit over-weighted on the mi tary side. I think that that is all right in time of war. In time of peace, the bulk of your intelligence is of use to the State Department. I should say over 50 per cent is such. Also, is this body really going to meet and really going to operate? You ought to have a small body to whom your Director of Intelligence should report, to whom he can get quickly.

Mr.Dorn. I think that you are right about that.

Mr. Judd. It consists of the Secretary of State, Secretary of National Defense, Secretaries of the Army, Air Force and Navy and the Chairman of the National Resources Board and such other members as the President may designate from time to time.

Mr. B. I personally like the present set-up, as far as reporting is concerned, a little better than that. As I recall, at the present time the Director of Intelligence reports to the Secretary of State and the Secretary of War and the Secretary of the Navy and Admiral Leahy. Do not make this he reports to so big and so unwieldy that it will never operate, because your Director of Intelligence has got to have a small body and a very small body to whom he can report and a body that will meet and will give him guidance.

Mr. Judd. That is what I was afraid of, that there were too many heads, and he would put up his information and it

would be dissipated and nobody would take any action on it. I do not know. I am just raising the question.

Mr.B. Of course, he will as a matter of routine, I assume, daily have relationship with all of these departments, with the State Department and the Department of National Defense and disseminate his reports as they come in; but he needs a body to whom he can report.

Mr. Bender. Are you scheduled to be on your way somewhere?

Mr. B. Not for half an hour. Do you adjourn at 12 o'clock?

Mr. Bender. The Chairman asked me to adjourn the meeting at 12 and to reconvene at 1:30. However, I think since Mr. B. is here, we ought to hear him.

Mr. Boggs. As a private citizen, sir, and with your experience in this field, do you have any suggestions or do you think there is a necessity of putting in additional safeguards on this Central Intelligence Agency to protect us, as citizens of the United States, from what this thing might possibly be or develop into?

Mr. B. I do not really believe so. You mean having a Gestapo established here in the United States?

Mr. Brown. Will you clarify that question? May I just add this? Under this Act the authorities and functions of the Central Intelligence Agency would be based entirely

upon an Executive Order issued by the President which could be changed, amended or revoked or anything else at any time.

Now, the real question comes down to whether or not we should write into this Act the limitations and restrictions or define the functions and the activities in which they should engage, rather than depend upon a rather nebulous thing called an Executive Order, which is here today, but may be gone in three minutes, if the President decides to sign some other paper.

Mr. B. I would prefer to see the Congress, not in too much detail, however, define the nature and functions of the Central Intelligence Agency.

Mr. Boggs. On that point, I would like to say something. First, let me ask you one question. When you refer to incorporate by reference this proclamation to which Mr. Brown is referring, are you not pinning that down and making that a part of the law as it then is?

The President could not change it the next day. You are incorporating by reference something which is and it becomes a part of the law, when you read the law. Otherwise, you could change the law if you wish every five minutes, could you not?

Mr.Brown. You can change it every five minutes, and some of the Executive Orders were changed almost that rapidly during the war. I know some that were changed four or five

times in 30 days.

Mr. Hardy. He can change it under that order.

Mr. Wadsworth. I do not think so.

Mr. Brown. Regardless of that question, the point is this: Why should you have to hunt up a Federal Register and look back under the date of a certain day, February 5, 1946, and see what that was, when it ought to be in the statute books and as a part of the law that you draw? That is my argument.

Mr.B. Is there not a good deal of question of interpretation as to what that Executive Order means? I have seen it debated back and forth as to whether the Central Intelligence Agency did have the authority or not to do its own collecting.

Mr. Boggs. You think we should pin it down, then, to put it in the statute; but it is the responsibility of Congress to definitely pin it down?

Mr. B. I would think so. That would be my idea, within certain limits. I would not try to be too specific. It is a delicate field, and you cannot be too specific, but I should think the broad, general functions should be defined.

Mr. Wilson. May I ask a question?

With the provision in the bill that the activities of the Central Intelligence Bureau are confined out of the limits of the continental United States and in foreign fields.

do you think that that would tend to confine their activities? How could they raise a Gestapo in this country with that?

Mr. B. I do not think there is any real danger of that. They would have to exercise certain functions in the United States. They would have their headquarters in the United States.

Mr. Wilson. But their activities would not be here, would they?

Mr. B. We have lived along with the F.B.I. pretty well, and I do not think it is a Gestapo; and if the F.B.I. has not become a Gestapo, it seems to me that there is extremely little likelihood of any danger here. The field is different. They have no police powers, and they should have no police powers. They cannot put their hands on a single individual.

Mr. Wilson. My understanding is that this bill takes that right away from them, any police power or anything else within the confines of this country. Their operations are foreign, except to disseminate information, of course.

Mr. B. They cannot exercise police powers.

Mr. Wilson. It is a secret situation. Let us not try to rule anybody.

Mr. Busbey. Mr. B, I think I would like to have your comments on this: It seems to me one of the weaknesses in the Central Intelligence Group set-up at the present time is that they operate just a little bit differently than the

F.B.I. The F.B.I. is on duty with a staff 24 hours a day, around the clock, 365 days in the year. Now, comes Friday night, why most of the Central Intelligence Group goes home like all of the other Government agencies, and they have a very meager skeleton staff operating on Saturdays and Sundays. Do not you think that they ought to have a provision there where they operate continuously like the F.B.I.?

I have one other point. They do not operate, as brought out, in the United States. For instance, here on a Saturday some foreign agent takes a plane out of Paris for LaGuardia Field. He lands there on Saturday. Well, any agent of that kind has to come under the F.B.I. in this country. They drop him when he leaves France, and I do not think the present set-up is adequate to handle the situation. Then they follow him here in the United States for whatever period of time he has here, and then he probably would go to Mexico. Well, the F.B.I. drops him at the border and some other department of Central Intelligence picks him up down there in Mexico.

Mr.B. On the first point, I would think they would have their staff work 24 hours a day. That is a question of administration. On the second point, I believe thoroughly there must be a close coordination between the new agency and the F.B.I., and I think that that has been working pretty well as far as I know.

You are perfectly right that if the Intelligence Service picks up a dangerous agent and finds he is coming to the United States, that ought to go to the F.B.I. like that, and the F.B.I. ought to pick the fellow up or watch him when he arrives. Then, if he leaves this country, the F.B.I. ought to notify the Central Intelligence Agency that he has gone. That is a question of coordination, and I believe with the right kind of people, there is no reason why you cannot have close cooperation between this agency and the State Department and the G-2 and the ONI and the F.B.I.

If you have that, you have something; and if you are going to have all of these agencies fighting among themselves, you are not going to get anywhere.

I know in Switzerland there was a little area where we had our duties absolutely divided up, and the Minister, Leland Harrison, you know, was there; the military attache was there, and we never had five minutes' difficulties. We all did what we were supposed to do, and we pooled our resources and our work and our reports when it was desirable, and the thing worked. It can work. It is a question of the human element.

Now, G-2 is essential, and ONI is essential, and the State Department is essential; and they ought not to be affected, except that I do not think any one of these agencies is very anxious to get into this difficult and delicate

Mr. Manasco. Mr. B, would not the language to "evaluate or disseminate intelligence" cover almost anything in the world that they wanted to do?

Mr. B. But, then, you get into the question of what is to be the relationship with the others.

Mr. Manasco. So far as giving CIG authority to gather intelligence, that language could not be expanded on any by Congress.

Mr. B. I was looking over this. I do not know what the status of the other bill was.

Mr. Bender. It was introduced by the Chairman of the Committee because certain recommendations were made by individuals appearing before the Committee, I understand.

Mr. Manasco. I think that language would include everything in the world.

Mr. Judd. The question is whether you should have some limitations on it. You would have three things. You want the objective and, second, its power and, third, the powers it does not have.

Mr. Manasco. Limit it to foreign countries, of course.

Mr. B. There is one little problem there. It is a very important section of the thing, the point I raised there. In New York and Chicago and all through the country where we have these business organizations and philanthropic and other organizations who send their people throughout the

the functions should be stated, possibly then there could be added such additional functions as the President, on the recommendation of the National Security Council, should, within the scope of these general definitions, assign to the Agency.

That is, I would not want it too much tied down. Do not tie it down too much, but onthe other hand, do not leave it so vague that nobody knows who is going to do clandestine intelligence and so forth and so on.

Mr. Wilson. I agree with you there, and I agree with the thought that this blanket authority should not be granted ordinarily, but in this particular case, I just wondered if Mr.A and you, since you could not just put your finger on it, thought there might be some changes necessary. If we have a Congressional statute that absolutely ties that Agent, the Security Council or no one else could change it. For instance, if Congress was in adjournment and some change, some absolutely essential change was necessary, immediately, to make it work properly, you can see what it would require. It would come back to Congress next session and get that authority.

Mr. B. I think that there is phraseology that can handle that. I think that you can define, in a general way, these functions and leave a certain amount of latitude to expand.

clandestine field, and I believe we should go into it very slowly and very quietly and very carefully, because it is new to us.

The British have developed it, and in my opinion, the British have saved themselves several times by their Intelligence Service. That Zimmerman telegram which was used against the Germans in the first war may have saved Britain. That was a Secret Intelligence operation.

Mr. Dorn. I have a high regard for the British Intelligence System. Just to whom does their Central Intelligence Agent report, in order that there would be no delay in the information getting to the proper people?

Mr. Bender. Are there any other questions?

Mr. Wilson. Mr.A said, with regard to this Executive Order, that we were new at this business, more or less, that the British, of course, have had theirs through hundreds of years. He said the reason that he would prefer not to have the basic functions set out now is that we have not had experience enough to know what basic functions to put in the bill. He said after two or three years or after this thing is synchronized and gets to going, it would be proper, he thought. What is your idea about that?

Mr. B. I defer a great deal to Mr. A's judgment. He is a very wise man, I think. I would believe that a middle ground would be desirable. I think the general nature of

world. They collect a tremendous amount, not being agents or doing anything, but doing their job. They collect a tremendous amount of information.

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Mr. Judd. As to Russian agents in this country, only the F.B.I. watches them.

Mr. Boggs. Might I ask one question? In view of your experience, sir, would you contemplate that this Central Intelligence Agency, to set it up, would require a lot of personnel here in the United States? Would it develop

into a large bureau, or how large a bureau would it develop into, in operations in the United States?

Mr. B. I do not believe in a big agency. I know I was happier in Switzerland when they could not send anybody to me from the United States than I was after the frontier opened up; and I did a lot of work because I was not be-deviled with administrative problems. I could do better with ten people than I could with fifty. On the evaluation side there, you require a certain number of people. [redacted] 25X1 25X1

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will need a certain number of people, but it ought not to be a great number. It ought to be scores rather than hundreds.

Mr. Boggs. Thank you very much.

Mr. Bender. We deeply appreciate your coming here, and certainly it is kind of you to do so. We have great respect for your opinion.

Mr. B. This is vital, you know. It is terribly important for our national security. I want to leave that as a last word.

Mr. Bender. You are for the general bill?

Mr.B. One hundred per cent. I think the language

should be studied a bit; but as to the general functions, I am back of it one hundred per cent. I think it is vital.

Mr. Brown. You are talking about the provisions on Central Intelligence, and you are not discussing any of the rest of the bill?

Mr. B. No.

Mr. Dorn. I was greatly reassured here by Mr. A's testimony that in his opinion, before any future Pearl Harbor attack materializes, they would know about such a thing in sufficient time to prepare against it; and is that your opinion, that if this thing functions properly, any potential attack can be known sufficiently in advance?

Mr. B. It is your best insurance. That is all that I can say. I was put up before the OSRD, and they said to me, "Do you think we would know if some people across the sea had prepared an atomic bomb and were ready to drop it on us?"

Mr. Dorn. It was Mr. A's opinion that he could, and he left it open.

Mr. Judd. There is nothing more important than knowing if that is right.

Mr. B. This is the best insurance that you have.

Mr. Bender. Gentlemen, we are adjourned until 1:30 this afternoon.

(Whereupon, at 12:15 p.m., the Committee recessed to reconvene at 1:30 p.m.)

vil ends